

AppIn. No. 09/919,556
Amendment dated January 9, 2006
Reply to Office Action mailed September 7, 2005

REMARKS

Reconsideration is respectfully requested.

Claims 1 through 18 and 20 through 32 remain in this application.
Claim 19 has been cancelled. No claims have been withdrawn or added.

The Examiner's rejections will be considered in the order of their occurrence in the Office Action.

Paragraphs 2 and 3 of the Office Action

The "provisional" double patenting rejection is acknowledged.

Paragraph 4 of the Office Action

Claims 1 through 7 have been rejected under 35 U.S.C. §101 being directed to non-statutory subject matter.

Claim 1 has been amended to indicate that an agent analyzes if a selected feature requires a static IP address and assigns an IP address to said at least one host. Support for this change can be found in the specification at page 4.

Withdrawal of the §101 rejection of claims 1 through 7 is respectfully requested.

Paragraphs 5 and 6 of the Office Action

Claims 1, 2, 4, 5, 8, 9, 11, 12, 15, 16, 18, 19, 22, 23, 25, 26, 29 and 50 (presumably 30 was intended) have been rejected under 35 U.S.C. §103(a) as being unpatentable over Paxhia et al. (US Pub. No. 2002/0065878) in view of Li (WO 98/26548).

Claims 3, 10, 17, and 24 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Paxhia et al. and Li in view of Wang (US Pat. No. 6,496,511).

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Claims 6, 7, 13, 14, 20, 21, 27, and 28 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Paxhia et al. and Li in view of Chen (US Pub. 2003/0028650).

Claim 31 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Paxhia et al. and Li in view of Chupin (US Pub. 2003/00222902).

Claim 32 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Paxhia et al. and Li in view of Favier (US Pub. 2002/0129142).

Claim 1 of the present application requires "analyzing if said selected feature requires a static IP address to be assigned to said at least one host" and "wherein a static IP address is assigned to said at least one host if said selected feature requires said static IP address". Claim 8 includes similar language. Somewhat similarly, claim 15 requires "means for analyzing if said selected feature requires a static IP address to be assigned to said at least one host". And claim 22 requires "logic capable of being executed by the processor, wherein said logic is capable of . . . analyzing if said feature selected by said user requires a static IP address to be assigned to said at least one host".

Turning to the rejection in the Office Action, while the Paxhia patent application is relied upon as a primary reference, it is conceded in the Office Action that:

Paxhia fails to teach the limitations of analyzing if said selected feature requires a static IP address to be assigned to said at least one host and assigning an IP address to said at least one host, wherein a static IP address is assigned to said at least one host if said selected feature requires said static IP address, however Paxhia does teach one of the features is configuring the server as a Internet connection server.

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It is then alleged in the rejection that:

Li teaches, in an analogous method, an Internet connection server requiring a static IP address and assigning an IP address to the Internet connection server (see lines 24-28 of page 4).

Looking to the referenced portion of the Li publication, it states (emphasis added):

In another embodiment, the Internet access device initially connects to the Internet acting as a single host computer, using a dynamic IP address as its address, requiring no configuration on the part of the user. Once automatically configured, the Internet access device may then act as a router, communicating with the Internet using a static IP address and a range of IP addresses for other devices on a local area network.

However, it is submitted that this portion of the Li patent application publication discusses the ability to change from a dynamic IP address to a static IP address, but does not disclose to one of ordinary skill in the art "analyzing if said selected feature requires a static IP address to be assigned to said at least one host", as there is no discussion of any analysis of any requirement of, or need for, a static IP address. In fact, one of ordinary skill in the art is more likely to understand that the switch from a dynamic IP address to a static IP address is required by the function as a router, rather than any requirement of a static IP address by a feature. Li is silent about any connection between a feature and the need for a static IP address, much less the analysis of a *selected* feature for the need for a static IP address.

Conversely, it is submitted that the Li patent application publication is more likely to lead one of ordinary skill in the art away from any analysis of a selected feature for the need for a static IP address. For example, see Li at page 2, lines 8 through 16:

In general, it can be said that connecting a computer or computer network to the Internet is not a simple task. Many configuration variables must be taken into account including whether the computer is a single host at a home, or is part of a local area network (LAN) in a corporation, whether a customer desires a dynamic

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or static IP address, and what type of line connection the customer desires. In general, a customer connects to the Internet using either a dial-up telephone line, or a more permanent leased line connection. Most home or casual use customers connect to the Internet through a dial-up line using a modem, while corporate or heavy use customers often connect with a permanent leased line connection.

It is submitted that this portion of the Li patent application publication leads one of ordinary skill in the art to believe that the use of a static or dynamic IP address is dependent upon the desire of the customer, not the requirements of a selected feature.

Further, at page 11, line 32 through page 12, line 11, Li includes further statements that lead one of ordinary skill in the art that further

When a customer first determines that he or she desires a connection to the Internet the customer contacts an Internet service provider to request a particular level of service. This desired level of service includes many different variables. For example, the customer must first determine if they wish to connect a LAN to the ISP or simply a single machine to the ISP. Also, the type of connection must be determined. A customer may be connecting to the ISP over a dial-up line or over a permanent leased line. Also, the customer may desire an analog line using a conventional or high speed modem, an ISDN line using an ISDN adapter, or a leased line that may be a T-1 or a T-3 line using frame relay technology. Other types of lines and levels of service may also be specified by the customer. The customer may also determine a desired domain name, and a range of IP addresses that it requires. A customer with only a single host computer may need only a dynamic IP address, while a customer such as a corporation or provider of information may require not only a static IP address but also a range of addresses for various computers connected to a LAN. Other information from the customer may also be required by the ISP such as the number of users on the LAN, geographic location (used to determine which POP to connect to), anticipated storage needed for a web site, etc.

This portion of the Li patent application publication is submitted to lead one of ordinary skill in the art to believe that it is the customer that indicates what type of IP address is desired by the customer, among other things, and is not the result of any analysis *by the Li system* to determine whether a selected feature requires a static IP address, or may use a

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dynamic IP address. At best from the standpoint of the rejection, the Li patent application is ambiguous as to what entity is specifying a static IP address, and as pointed out above the context of the Li patent application leads one of ordinary skill in the art to believe that it is the customer that specifies the need for a static IP address, and not any element of the Li system.

It is therefore submitted that the cited documents, and especially the allegedly obvious combination of Paxhia, Li, Wang, Chen, Chupin, and Favier set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 1. Further, claims 2 through 7, which depend from claim 1, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

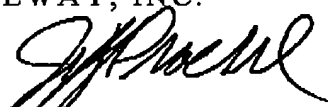
Withdrawal of the §102(b) and §103(a) rejections of claims 1 through 32 is therefore respectfully requested.

CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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By  Date: Jan. 9, 2006
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